

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
NO. 2:11-CV-00020-F

PROVIDENT LIFE AND ACCIDENT)
INSURANCE COMPANY,)
Plaintiff,)
v.)
KEITH A. TERRY,)
Defendant.)

ORDER


It appears to the court that default has been properly entered against Defendant Keith A. Terry, *see* [DE-8], that the defendant, Keith A. Terry, has been properly served with notice [DE-5] of the instant motion, and that defendant is neither an infant nor incompetent. Notwithstanding proper notice, the defendant has failed to plead or otherwise to respond to this lawsuit.

It further appears to the court from the Verified Complaint [DE-1] that the amount owed by defendant Terry to Provident Life is **\$110,937.96**, on Plaintiff's claim for equitable restitution pursuant to 29 U.S.C. §1132(a)(3).

IT THEREFORE, IS ORDERED, ADJUDGED AND DECREED that the Clerk of Court shall enter Judgment against the defendant, Keith A. Terry, in favor of the plaintiff, Provident Life and Accident Insurance Company, in the sum of *one hundred and ten thousand, nine hundred thirty-seven dollars and ninety-six cents* (\$110,937.96).

The Clerk of Court is DIRECTED to close this case.

This, the th 30 day of November, 2011.



JAMES C. FOX
Senior United States District Judge